IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Maurizio GALIMBERTI et al.	) Group Art Unit: 1791
	)
Application No.: 10/576,797	) Examiner: Fischer, Justin R.
	)
Filed: April 27, 2007	) Confirmation No.: 5909
	)
For: TIRE AND CROSSLINKABLE	)
ELASTOMERIC COMPOSITION	) *VIA EFS WEB*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of

the Office the documents on the attached listing. This Supplemental Information

Disclosure Statement is being filed concurrently with a Request for Continued

Examination under 37 C.F.R. § 1.114 for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Office consider the listed documents and

indicate that they were considered by making appropriate notations on the attached

form.

The United States Court of Appeals for the Federal Circuit held in *Dayco*

Products, Inc. v. Total Containment, Inc., 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir.

2003), that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. *See also* M.P.E.P. § 2001.06(b). Accordingly, although Applicants are not representing that the Office Actions in co-pending U.S. Patent Application No. 10/536,833 are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive Office Actions in co-pending applications on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. **EP 0 242 840 A1:** This document is believed to be related to U.S. Patent No. 4,895,692, which is listed on the accompanying PTO Form SB/08.

2. **EP 1 211 283 A1:** This document is believed to be related to U.S. Patent No. 6,818,693, which is listed on the accompanying PTO Form SB/08.

3. **JP 1-109107:** An English language abstract of this document accompanies this disclosure.

4. **JP 3-169713:** An English language abstract of this document accompanies this disclosure.

5. **JP 2002-347410:** An English language machine translation of this document accompanies this disclosure.

6. **JP 2002-316512:** An English language abstract of this document accompanies this disclosure.

7. **JP 2000-71716:** An English language abstract of this document accompanies this disclosure.

8. **JP 59008503:** An English language abstract of this document accompanies this disclosure.

9. **JP 62143705:** An English language abstract of this document accompanies this disclosure.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: November 10, 2009   By:_____

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